



As modified by Blakely, Sokoloff, Taylor & Zafman LLP

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office ; U.S. DEPARTMENT OF COMMERCE

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### UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 42P16421

(maximum 12 characters)

First Named Inventor Vincent J. Zimmer et al.

Title : METHOD AND SYSTEM TO SUPPORT NETWORK PORT AUTHENTICATION FROM OUT-OF-BAND FIRMWARE

Express Mail Label No. EV320119081US

ADDRESS TO: **Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

21905 U.S. PTO  
10/607678



### APPLICATION ELEMENTS

**S** MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original and a duplicate for fee processing)
2. ☐ **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. ☒ **Specification (Total Pages 32)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ **Drawings(s) (35 USC 113) (Total Sheets 5)**
5. ☒ **Oath or Declaration (Total Pages 6)**
  - a. ☒ Newly Executed (Original or Copy)
  - b. ☐ Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i. ☐ **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c. ☐ Unsigned.
6. ☐ **Application Data Sheet. (37 CFR 1.76)**
7. ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8. ☐ **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS		
9.	<input checked="" type="checkbox"/> Assignment Papers (copies & documents(s))	
10.	a. <input type="checkbox"/> Separate 37 CFR 3.73(b) Statement (where there is an assignee)	
	b. <input checked="" type="checkbox"/> Power of Attorney	
11.	<input type="checkbox"/> English Translation Document (if applicable)	
12.	a. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	
	b. <input type="checkbox"/> Copies of IDS Citations	
13.	<input type="checkbox"/> Preliminary Amendment	
14.	<input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15.	<input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16.	<input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). <u>Applicant must attach form PTO/SB/35 or its equivalent.</u>	
17A.	<input checked="" type="checkbox"/> Other: <u>Certificate of mailing with copy of postcard signed by attorney</u>	
<b>17B. <input checked="" type="checkbox"/></b> Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.		
<b>18A.</b> If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below <u>and</u> in a preliminary amendment, or in an Application Data Sheet Under 37 C.F.R. 1.76:		
<input type="checkbox"/> Continuation Of Prior Application No.: _____	<input type="checkbox"/> Divisional Examiner _____	<input type="checkbox"/> Continuation-in-part (CIP) Group Art Unit _____
(which is a <input type="checkbox"/> continuation/ <input type="checkbox"/> divisional/ <input type="checkbox"/> CIP of prior application no. _____, which is a <input type="checkbox"/> continuation/ <input type="checkbox"/> divisional/ <input type="checkbox"/> CIP of prior application no. _____) (List entire chain of priority)		
<b>Applicant(s):</b> Also include a Preliminary Amendment to amend the specification to claim priority. <b>For CONTINUATION AND DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.		
<b>18B.</b> Statement under 37 CFR 3.73(b) for <u>continuing</u> application: The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).		
<b>19.</b> Correspondence Address Customer Number or Bar Code Label _____ or _____ (Insert Customer No. or Attach Bar Code Label here) <input checked="" type="checkbox"/> Correspondence Address Below <b>NAME</b> <u>R. Alan Burnett</u> <u>BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP</u> <b>ADDRESS</b> <u>12400 Wilshire Boulevard</u> <u>Seventh Floor</u> <b>CITY</b> <u>Los Angeles</u> <b>STATE</b> <u>California</u> <b>ZIP CODE</b> <u>90025-1026</u> <b>Country</b> <u>U.S.A.</u> <b>TELEPHONE</b> <u>(206) 292-8600</u> <b>FAX</b> <u>(206) 292-8606</u>		
<b>Nam (PRINT/TYPE):</b> <u>R. Alan Burnett</u> <b>Registration No.:</b> <u>46,149</u> <b>Signature:</b> <u>R. Alan Burnett</u> <b>Date:</b> <u>June 26, 2003</u>		

**17B.   X** Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Continuation Of Prior Application No.: \_\_\_\_\_ Divisional Examiner \_\_\_\_\_ Continuation-in-part (CIP) Group Art Unit \_\_\_\_\_

**Applicant(s):** Also include a Preliminary Amendment to amend the specification to claim priority. For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:  
The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

19. Correspondence Address  
Customer Number or Bar Code Label \_\_\_\_\_  
or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)

X Correspondence Address Below  
NAME R. Alan Burnett  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
ADDRESS 12400 Wilshire Boulevard  
Seventh Floor  
CITY Los Angeles STATE California ZIP CODE 90025-1026  
Country U.S.A. TELEPHONE (206) 292-8600 FAX (206) 292-8606

**Nam (PRINT/TYPE):** R. Alan Burnett **Registration No.:** 46,149  
**Signature:** P. Allen Burns **Date:** June 26, 2003

## FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) \$ 1,222.00

**Complete if Known:**

Application No. Not Yet Assigned/New Application  
 Filing Date Herewith  
 First Named Inventor Vincent J. Zimmer et al.  
 Group Art Unit Not Yet Assigned  
 Examiner Name Not Yet Assigned  
 Attorney Docket No. 42P16421

**METHOD OF PAYMENT (check one)**

1. ☒ [ X ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
 Deposit Account Name \_\_\_\_\_

- ☒ [ X ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ [ ] Applicant claims small entity status. See 37 CFR 1.27

2. ☒ X Payment Enclosed: ☒ X Check  
 \_\_\_\_\_ Money Order  
 \_\_\_\_\_ Other

**FEE CALCULATION**

**1. BASIC FILING FEE**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
1001	750	2001	375	Utility application filing fee	<u>750.00</u>
1002	330	2002	165	Design application filing fee	_____
1003	520	2003	260	Plant filing fee	_____
1004	750	2004	375	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____
SUBTOTAL (1)					<u>\$ 750.00</u>

**2. EXTRA CLAIM FEES**

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>30</u>	- 20** = <u>10</u>	X <u>18.00</u>	= <u>180.00</u>
Independent Claims	<u>6</u>	- 3** = <u>3</u>	X <u>84.00</u>	= <u>252.00</u>
Multiple Dependent				= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 432.00

### 3. ADDITIONAL FEES

**SUBTOTAL (3) \$ 40.00**

**SUBMITTED BY:**

**Telephone Number:** (206) 292-8600

Our Reference: 42P16421

Patent

METHOD AND SYSTEM TO SUPPORT NETWORK PORT AUTHENTICATION FROM  
OUT-OF-BAND FIRMWARE

Inventors: Vincent J. Zimmer, Rahul Khanna, Mallik Bulusu

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

*R. Alan Burnett*

R. Alan Burnett  
Reg. No. 46,149

"Express Mail" mailing label number: EV320119081US  
Date of Deposit: June 26, 2003

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dominique Valentino

(Typed or printed name of person mailing paper or fee)

Dominique Valentino 6-26-03  
(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: New Application Filing/Issue Date: Herewith  
Client: Intel Corporation  
Title: METHOD AND SYSTEM TO SUPPORT NETWORK PORT AUTHENTICATION FROM OUT-OF-BAND FIRMWARE

BSTZ File No.: 42P16421 Atty/Secty Initials: RAB/dcv  
Date Mailed: 06/26/03 Docket Due Date: \_\_\_\_\_

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No. <u>EV320119081US</u>                   | <input checked="" type="checkbox"/> Check No. <u>2971</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                                    | <input type="checkbox"/> _____ Month(s) Extension of Time                                   | Amt: <u>\$1,222.00</u>                                    |
| <input checked="" type="checkbox"/> Application - Utility ( <u>32</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.)            | <input type="checkbox"/> Check No. _____                  |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                         | <input type="checkbox"/> Issue Fee Transmittal  | Amt: _____  |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                           | <input type="checkbox"/> Notice of Appeal   |   |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                                  | <input type="checkbox"/> Petition for Extension of Time                                     |   |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                      | <input type="checkbox"/> Petition for _____   |   |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard  |   |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)                                      |   |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                       | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                                  |   |
| <input checked="" type="checkbox"/> Assignment and Cover Sheet                                       | <input type="checkbox"/> Reply Brief (____ pgs.)  |   |
| <input checked="" type="checkbox"/> Certificate of Mailing   | <input type="checkbox"/> Response to Notice of Missing Parts                                |   |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>6</u> pgs.) (signed)                      | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business        |   |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)       | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate ( <u>2 pgs. each</u> ) |   |
| <input checked="" type="checkbox"/> Drawings: <u>5</u> # of sheets includes <u>6</u> figures         | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate ( <u>2 pgs. each</u> )    |   |

☒ Other: Certificate of mailing with copy of return postcard signed by attorney